

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES ACT OF 1933
Release No. 11134 / November 18, 2022

ADMINISTRATIVE PROCEEDING
File No. 3-21243

In the Matter of

The Registration Statement of
American CryptoFed DAO LLC

Respondent

RESPONDENT AMERICAN CRYPTOFED
DAO LLC'S MOTION TO REQUEST THE
PUBLIC HEARING SCHEDULE TO BE
POSTED ON THE SEC WEBSITE UPON
SCHEDULING OF THE HEARING

The Securities and Exchange Commission ("SEC" or "Commission") instituted this proceeding by an Order Instituting Proceedings (OIP) on November 18, 2022. The OIP ordered American CryptoFed DAO LLC ("American CryptoFed" or "Respondent") to file an Answer within ten days after service of the OIP and ordered that a public hearing before Administrative Law Judge Carol Fox Foelak commence at 10:00 a.m. EST on December 1, 2022.

After the Day 1, Day 2 and Day 3 public hearing on December 1, 2022, December 2, 2022 and December 6, 2022, respectively, Day 4, potentially, Day 5 and Day 6 public hearings, will be reconvened beginning at 10:00 am EST, January 18, 2023.

Since the Day 3 hearing was adjourned, at 4:37 p.m. December 6, 2022, EST, six (6) full business days have passed. However, the Day 4 Public Hearing of American CryptoFed DAO scheduled on December 6th, 2022 for January 18, 2023 has not yet been posted yet on the "Upcoming Events" of the SEC website page which has a notice function specifically for "PUBLIC HEARINGS IN ADMINISTRATIVE PROCEEDINGS", which is currently blank.

Please see a screenshot of the SEC webpage attached as Exhibit 1, which was taken at 3:55:40, December 14, 2022, PST.

American CryptoFed has proactively tried to resolve this issue with the Division of Enforcement via email communications on December 8, 2022 through December 9, 2022. There were 11 emails in total attached as Exhibit 2, between American CryptoFed and the Division. However, the Division of Enforcement has stopped responding to American CryptoFed's emails since December 9, 2022.

If the general public does not have timely notice on a public hearing schedule as soon as it is available, any public hearing, including but not limited to, the Day 4 Public Hearing of American CryptoFed DAO, may actually and in essence become a closed hearing.

“The judges conduct **public hearings** in a manner similar to **federal bench trials** at locations throughout the United States.”, according to the SEC website link below.¹

As a general rule, trials must be open and public. Persons who wish to view trials and hearings, whether members of the press or ordinary citizens, have a right to both see and hear the proceedings. Public trials allow the general public to see that the justice system is functioning properly and treating defendants fairly. Under the U.S legal system, the Courts are open to the public so that every citizen may see firsthand that justice is done. The First Amendment right of public access to court proceedings and the Sixth Amendment expressly grants the accused a right to a public trial. In *Waller v. Georgia*, 467 U.S. 39 (1984), the U.S. Supreme Court has found the right to Public Trial and Hearing to be so fundamental to the fairness of the adversarial system that it is independently protected.

To the extent that the general public has no way to proactively have knowledge of the hearing schedule for the Day 4 Public Hearing of American CryptoFed DAO, especially when the framework for a notice function for “Administrative Hearings in Public Proceedings” is already in place on the Commission's public facing website, this Day 4 hearing on January 18,

¹ <https://www.sec.gov/page/aljsectionlanding>

2023 may actually and in essence become a closed hearing. The SEC's Webcast may have a risk to be broadcast to no one.

For all the reasons set forth above, American CryptoFed requests Judge Foelak to ensure that Day 4 Hearing of American CryptoFed DAO as scheduled on January 18, 2022 is immediately posted on the "Upcoming Events" of the SEC website page which has a notice function for "PUBLIC HEARINGS IN ADMINISTRATIVE PROCEEDINGS" so that the Day 4 of this hearing in administrative proceedings is truly an open and public hearing.

Dated: December 14, 2022

Respectfully submitted

DocuSigned by:

Scott Moeller

A82E97EDD0C44FD...

By /s/ Scott Moeller

Scott Moeller, President

Xiaomeng Zhou, Chief Operating Officer

American CryptoFed DAO LLC

1607 Capitol Ave Ste 327

Cheyenne, WY. 82001

Phone (307) 206-4210

scott.moeller@americancryptofed.org

zhouxm@americancryptofed.org

CERTIFICATE OF SERVICE

I hereby certify that a true copy of this, RESPONDENT AMERICAN CRYPTO FED
DAO LLC'S MOTION TO REQUEST THE PUBLIC HEARING SCHEDULE TO BE
POSTED ON THE SEC WEBSITE, was filed by eFAP and was served on the following on this
14th day of December 2022, in the manner indicated below:

By Email:
Christopher Bruckmann,
Trial Counsel, Division of Enforcement – Trial Unit
U.S. Securities and Exchange Commission
100 F Street, N.E.
Washington, D.C. 20549-5949
202-551-5986
bruckmannc@sec.gov

By /s/ Scott Moeller

DocuSigned by:

Scott Moeller

A82E97EDD0C44FD...

Scott Moeller

President, American CryptoFed DAO LLC
1607 Capitol Ave Ste 327
Cheyenne, WY. 82001
Phone (307) 206-4210
scott.moeller@americancryptofed.org